

EMERY CELLI BRINCKERHOFF ABADY WARD & MAAZEL LLP

Jonathan S. Abady, Esq. (*pro hac vice*)
Matthew D. Brinckerhoff, Esq. (*pro hac vice*)
Ananda V. Burra, Esq. (*pro hac vice*)
Max Selver, Esq. (*pro hac vice*)
600 Fifth Avenue, 10th Floor
New York, New York 10020
(212) 763-5000

KROVATIN NAU LLC

Gerald Krovatin, Esq. (Attorney No. 024351977)
Helen A. Nau, Esq. (Attorney No. 030181993)
60 Park Place, Suite 1100
Newark, NJ 07102
(973) 424-9777
Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CITY OF HOBOKEN,

Plaintiff,

-against-

EXXON MOBIL CORP.,
EXXONMOBIL OIL CORP.,
ROYAL DUTCH SHELL PLC,
SHELL OIL COMPANY, BP P.L.C.,
BP AMERICA INC., CHEVRON
CORP., CHEVRON U.S.A. INC.,
CONOCOPHILLIPS,
CONOCOPHILLIPS COMPANY,
PHILLIPS 66, PHILLIPS 66
COMPANY, AMERICAN
PETROLEUM INSTITUTE,

Defendants.

Civil Action No. 2:20-cv-14243

**LOCAL RULE 7.1.1
STATEMENT**

Recently enacted Local Civil Rule 7.1.1 provides that “all Parties . . . shall file a statement . . . regarding any person or entity that is not a party and is providing funding for some or all of the attorneys’ fees and expenses for the litigation on a non-recourse basis in exchange for (1) a contingent financial interest based upon the results of the litigation or (2) a non-monetary result that is not in the nature of a personal or bank loan, or insurance.” Loc. Civ. R. 7.1.1.

Plaintiff, the City of Hoboken, states that no person or entity is providing funding for attorneys’ fees and expenses in exchange for a contingent financial interest based on the results of the litigation. Nor does Plaintiff believe that any person or entity could be understood to be providing such funding “in exchange for . . . a non-monetary result” as referenced in Loc. Civ. R. 7.1.1.

Out of an abundance of caution, however, Plaintiff also states—as was publicly disclosed when the Hoboken City Council passed Resolution 20-65 authorizing the retention of counsel for this action on January 15, 2020—that the Institute for Governance and Sustainable Development, Inc. (“IGSD”) is providing limited funding directly to Plaintiff’s counsel for attorneys’ fees and expenses during the pre-discovery phase of this action.

IGSD is a not-for-profit corporation formed in the District of Columbia, and located at 2300 Wisconsin Ave. NW, Suite 300B, Washington, D.C. 20007.

IGSD has no role of any kind in making litigation or settlement decisions in this action, as set forth in the attorney retainer agreement with Emery Celli Brinckerhoff & Abady LLP (now Emery Celli Brinckerhoff Abady Ward & Maazel) (the “Firm”) approved by the Hoboken City Council pursuant to Resolution 20-65, which expressly provides that:

IGSD is not a client of the Firm and will have no role or decision-making authority or influence over any aspect of the Litigation or the Firm’s work on the City’s behalf. IGSD will not direct, regulate or interfere with the Firm’s professional judgment; IGSD will not have an attorney-client relationship with the Firm; and notwithstanding payment of costs and expenses by IGSD, the Firm and the City will pursue a course of conduct solely in the City’s best interests. The City remains the Firm’s exclusive client at all times during the course of this representation and the Firm’s duty of loyalty, the attorney-client relationship and all decisions related to this matter remain issues solely between the Firm and the City. Communication with IGSD concerning the substance of the representation shall be limited to only communications expressly authorized by the City in advance and are otherwise protected by the attorney client privilege and confidentiality provisions contained in the New Jersey Rules of Professional Conduct, RPC 1.6.

IGSD agreed to provide funding for attorneys’ fees and costs incurred by Plaintiff’s counsel during the pre-discovery phase of this action up to a maximum amount of \$483,500.

Dated: August 13, 2021

KROVATIN NAU LLC
60 Park Place, Suite 1100
Newark, NJ 07102
(973) 424-9777

By: /s/ Gerald Krovatin
Gerald Krovatin

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 13, 2021, the document above was electronically filed with the Clerk of Court using the CM/ECF system, which automatically sent notification to all parties of record.

/s/ Gerald Krovatin
Gerald Krovatin